

MANUAL OF CUSTOMS AND PRECEDENTS.

ORGANIZATION.

The Legislature convenes at 12 o'clock m., on the ~~first~~ ^{second} Tuesday in January, A. D., 1879, and at 12 o'clock m., on the ~~first~~ Tuesday in January of each alternate year thereafter, and at other times when convened by the Governor.

In other States it is the custom for the Secretary of State to furnish to the clerk a certified statement of the names of the members elect, which is read; the members advancing to the clerk's desk, generally the delegation of each county by itself, and subscribe the oath of office. But in this State the usual proceeding is to choose a Speaker and a clerk *pro tem.*, and to appoint a committee, who examine credentials of members elect, and report to the House thus temporarily organized. The oath of office is then administered to the members elect. In this State, it is usually administered by one of the judges of the supreme or district courts. [*Members coming in after the first day of the session, are sworn in by the Speaker.*] After all are sworn, the roll is called, when, if a quorum is found present, the Speaker *pro tem.*, declares the House to be qualified and competent to proceed to business.

Candidates for Speaker are nominated, and the votes taken by ballot. The Speaker *pro tem.*, announces the result, and names a committee to conduct the Speaker elect to the chair. The other elections proceed in the same manner, except that when the result is announced by the Speaker, the officer elect advances to the clerk's desk and is sworn in by the Speaker.

A committee is then appointed to wait on the Senate, and inform that body that the House is organized; or the clerk is directed, by resolution, to inform the Senate of the fact.

One of the first duties after the organization, is the adoption of rules for the government of the House.

Immediately after the organization of the two houses, a joint committee of the Senate and the House is appointed to wait

upon the Governor, and inform him that both houses of the Legislature are organized, and are in readiness to receive any communication from him.

It is customary for the Speaker to appoint a committee to meet a like committee from the Senate for the purpose of framing joint rules for the government of both Houses; and when completed, the committees report to their respective Houses.

By concurrent resolution, both houses meet in joint convention to canvass the vote for Governor and Lieutenant Governor, during the first week of the session.

The Senate and House assemble in joint session in the hall of the House, on the second Tuesday after assembling to inaugurate the Governor and Lieutenant Governor.

The Governor transmits, from time to time, by the hands of his private secretary, his messages, suggestions, etc., to the Legislature.

At the first opportunity after hearing the messages read, the various recommendations therein contained, are referred, by resolution, to appropriate standing committees, or select committees.

Standing committees are appointed by the Speaker at as early a day in the session as is possible. Each committee usually consists of nine members, but the House determines the number, which is sometimes greater.

Seats are drawn by lot.

COMPENSATION.

Each member of the Legislature, as a compensation for his services, receives five dollars per day, during the first sixty days of the session, two dollars per day thereafter, and twenty cents for every mile necessarily traveled in going to and returning from the seat of government. It is customary to pay the mileage of members both ways, upon the certificate of the Speaker and clerk as to the proper sum to which each member is entitled; a schedule of distances being furnished by the Comptroller.

PAY OF OFFICERS.

The Lieutenant-Governor, as President of the Senate, and also the Speaker of the House, receive the same compensation allowed to other members of the Legislature. The *per diem* of the clerk and other officers of the two houses, is fixed by resolution of the respective houses.

PROCESS OF PASSING BILLS.

Some diversity of practice exists herein, but the ordinary method in the House is as follows: A member having prepared a bill and endorsed the title thereof, together with his name, upon the back of it, rises to his feet, at such time as the introduction of bills is in order, and says, "Mr. Speaker." If recognized, the Speaker responds, "The gentleman from ——." The member announces, "I ask leave to introduce a bill."

The bill is then sent to the clerk by a page. The clerk then reads the title of the bill, and it is referred to a committee. When it is reported back from the committee, it comes up in its order, and the Speaker announces, "First reading of the bill."

The second reading of bills must be on a day subsequent to their first reading. When the Speaker calls for the second reading of bills, the clerk reads the first bill on file for second reading, *at length*, when the Speaker announces, "Second reading of the bill." The question then is put by the Speaker, "Shall this bill be engrossed and read a third time?" If decided affirmatively, the bill is thereby ordered to be engrossed. Upon its return engrossed from the engrossing clerk, the original and engrossed bills are placed in the hands of the Committee on Engrossed Bills, who compare them and correct any errors which they may find. When found correct, or made so, the committee report them to the House as correctly engrossed, when the original is filed by the clerk, and the engrossed bill goes into the order of "bills ready for a third reading."

When, under the order of business, the bill is reached, the title of the bill is read, and the bill itself is read *at length*, when the Speaker says, "This bill having been read three several times, the question is, shall the bill pass?" If the bill passes, it is taken to the Senate, with a message announcing its passage by the House, and asking the concurrence of the Senate therein.

If the Senate concurs, the bill is sent to the enrolling clerk, who makes a copy thereof, as is elsewhere described. When enrolled, it goes to the Committee on Enrolled Bills, who compare it with the engrossed bill. When found or made correct, they report the bill to the House as correctly enrolled; the engrossed bill is filed by the clerk; the enrolled bill is then endorsed by the clerk as having originated in the House (for the information of the Governor, in case he vetoes it). It is then referred to a joint committee of enrollment, who present the same to the Speaker, who reads the title of the bill in hearing

of the House, and then signs it, after which the joint committee present the bill to the President of Senate, who reads the title of the bill in hearing of the Senate, and then signs it. The committee then proceed to the Governor, and present the bill thus duly signed for his approval, and report that fact to the House, and the hour when it was deposited in the Governor's hands. The Governor, if he approves the bill, informs the House in which it originated of that fact.

This is the ordinary process of a bill through all its stages until it becomes a law. A bill of great interest or importance, or one which is warmly contested, may, by reason of majority and minority reports, special orders, recommitment, amendments, substitutes, committees of conference, and various other parliamentary appliances, pass through a vast number of stages not before enumerated.

Senate bills coming into the House after passing the Senate, are read by title or *at length*, and then referred to the appropriate committee. After consideration by a committee, the recommendation of the committee is acted upon in the House, the question being, after recommendations are disposed of: "Shall this bill be read a second time and passed to a third reading?"

If it is decided affirmatively, the bill passes into the order of "bills on third reading," and when reached in that order, the question is, "Shall this bill be passed?" If passed, the bill is returned to the Senate, with the message informing it of that fact.

All bills are required to be read on three several days, previous to their passage; but, in case of an imperative public necessity, which public necessity must be stated in the body of the bill, or in a preamble, by a vote of four-fifths of all the members voting, this rule may be suspended, and the bill read a second time on the same day, it then requiring a majority vote to pass it to its next reading. By a vote of four-fifths, the rules may be again suspended, and the bill placed on its final passage, a majority of all the members voting being required to pass it.

All laws, except the general appropriation act, take effect ninety days after the adjournment of the Legislature at which they were enacted; but, in case of an emergency, which emergency must be stated in the body of the bill, or in a preamble, the Legislature may, by a two-thirds vote on the last reading, cause the law to take effect from and after its passage; and it may be passed into a law even more speedily, by suspending the rule requiring it to be read on three several days, as above described, and reading the bill three times on the same day.